

CV 14

4276

MATSUMOTO, A.

Complaint

BLOOM, M.J.

NAME AND ADDRESS

of Plaintiff Billy Horton

105-31 191 STREET

JAMAICA NY 11412

PRO SE

NAME AND ADDRESS OF DEFENDANTS

(PAGE 1 of 2)

The City of New York et al.

The New York City Police Department

ONE POLICE PLAZA
NEW YORK NY 10038

The New York City Criminal Court of Queens
125-01 QUEENS BLVD.
KEW GARDENS NY 11415

The NYC Law Department

The Corporation Counsel of New York City

100 CHURCH STREET
NEW YORK NY 10007

P.O. Reinaldo Alvarez TAX # 927853

103RD PRECINCT 5th Avenue
168-02 103RD AVENUE
JAMAICA NY 11432

RECEIVED

JUL 11 2014

P.O. JOHN DOES # 1-8

UNKNOWN

PRO SE OFFICE

NEW YORK CITY POLICE DEPT.
ONE POLICE PLAZA
NEW YORK NY 10038

July 11, 2014

Billy Horton
(718) 568 8847

Complaint

Jury Trial Demanded

NAME AND ADDRESS

of Plaintiff Billy Horton

105-31 191 STREET

JAMAICA NY 11412

PLUSE

NAME AND ADDRESS OF DEFENDANTS

CONTINUED (page 2 of 2)

ADA Harry Nussdorf

CRIMINAL COURT OF THE CITY OF NEW YORK

125-01 QUEENS BLVD.

KEW GARDENS NY 11415

ADA Deborah Wasser

CRIMINAL COURT OF THE CITY OF NEW YORK

125-01 QUEENS BLVD.

KEW GARDENS NY 11415

JUDGE Suzanne Melendez

CRIMINAL COURT OF THE CITY OF NEW YORK

125-01 QUEENS BLVD.

KEW GARDENS NY 11415

JUDGE Stephanie Zaro

CRIMINAL COURT OF THE CITY OF NEW YORK

125-01 QUEENS BLVD.

KEW GARDENS NY 11415

JUDGE Elise Koenderman

CRIMINAL COURT OF THE CITY OF NEW YORK

125-01 QUEENS BLVD.

KEW GARDENS NY 11415

July 11, 2014

Billy Horton
(18) 568-8847

UNITED STATES District Court
EASTERN District New York

COMPLAINT
JURY TRIAL DEMANDED

Billy Horton
Plaintiff

PRO SE

against

The City of New York et al Defendants
The New York City Police Department

P.D. Reinaldo Alvarez Tax # 927853 INDIVIDUALLY AND
OFFICIAL CAPACITY AS AN EMPLOYEE OF THE CITY OF NEW YORK
POLICE DEPARTMENT. POLICE OFFICERS JOHN DOES #1-8 INDIVIDUALLY
AND OFFICIAL CAPACITY AS EMPLOYEES OF THE NYC POLICE DEPARTMENT
EMERGENCY SERVICE UNIT/HOSTAGE NEGOTIATION UNIT. THE NEW
YORK CITY CRIMINAL COURT COUNTY OF QUEENS. ADA HARRY NUSSDORF
INDIVIDUAL AND OFFICIAL CAPACITY AS AN EMPLOYEE OF THE NYC CRIMINAL
COURT COUNTY OF QUEENS. ADA DEBORAH WESSEL INDIVIDUALLY AND
OFFICIAL CAPACITY AS AN EMPLOYEE OF THE CITY OF NEW YORK CRIMINAL
COURT COUNTY OF QUEENS. JUDGE SIRZANNE MELONDEZ INDIVIDUALLY
AND OFFICIAL CAPACITY AS A JUDGE, EMPLOYEE OF THE NYC CRIMINAL
COURT COUNTY OF QUEENS. JUDGE STEPHANIE ZARO INDIVIDUALLY
AND OFFICIAL CAPACITY AS A JUDGE, EMPLOYEE OF THE NYC CRIMINAL
COURT COUNTY OF QUEENS. JUDGE ELICE KOENDERMAN
INDIVIDUALLY AND OFFICIAL CAPACITY AS AN EMPLOYEE OF THE NYC
CRIMINAL COURT COUNTY OF QUEENS.

July 11, 2014

Billy Horton
(718) 568-8847

Complaint
JURY TRIAL DEMANDED

The jurisdiction of the court is invoked
pursuant to 28 USC 1983

UNITED STATES CODE which contains
ALL FEDERAL LAW

All Persons Should freely report to
the Courts for redress of wrong (and)
the Law protects them when they act
in good faith and upon reasonable ground.

Venue is proper in The United States District
Court for the Eastern District of New York
pursuant to 28 USC because at least one of the
defendants resides in the Eastern District

Plaintiff Demand a Jury Trial in this
action on each and everyone of the claim.

July 11, 2014

Billy Nathan
(718)568-8847

Complainant
Jury Trial Demanded

The New York City Police Department

Defendant City of New York is a municipal corporation duly incorporated and authorized under the laws of the State of New York pursuant to ss 431 of its Charters. The City of NEW YORK is authorized under the laws of the State of New York to maintain a Police Department. The New York Police Department (NYPD) which acts as its agent in the area of law enforcement and for which it is ultimately responsible the City assumes the risk incidental to maintenance of a Police force and employment of Police Officers.

At all REVELant times the City of New York and its hired employed, supervised and controlled the individual defendants.

July 10, 2014

Bobby Holton
(718) 568-8841

Complaint
Jury trial demanded

Criminal Court Jurisdiction

NYC Criminal Court has trial jurisdiction over misdemeanor and petty offenses (these where the defendant faces no more than one year in jail upon conviction after trial.)

Trial Jurisdiction means that once the defendant has been accused of the offense, the court has the authority to accept a plea of guilty, conduct a trial or otherwise dispose of the charges.

Criminal Court handles all aspects of these cases from arraignment to trial readiness to final disposition

July 10, 2014

Billie Hoots
(718) 568-8847

Complaint
Jury Trial Demanded

Criminal Court of the City of New York ^{county} of Queens
Criminal Court of the State of New York ^{county} of Queens

Defendants

Assistant District Attorneys

Assistant District Attorney of counsel to
Richard A. Brown, the District Attorney
of Queens County. Attorneys admitted
to practice law in the State of New York.

Defendants

By Statute Criminal Court has 107 authorized
judgeships. Each criminal court judge must be
a resident of New York City. The judges are
appointed by the Mayor of the City of New York.

July 10, 2014

Billy Holt
(718) 568-8847

Compensatory
Jury Trial Demanded

Plaintiff is an American citizen who is protected under The United States Constitution. This is a Civil Rights action brought by Plaintiff Billy Horton to seek relief for the defendants violation of his Civil Rights Secured by The Civil Rights Act of 1871, 42 U.S.C. § 1983, and the rights secured by the 4th(fourth) Amendment, 5th(fifth) Amendment, 6th(Sixth) Amendment 8th(Eight) Amendment and 14th (Fourteenth) Amendment of The United States Constitution.

Plaintiff seek compensatory and punitive damages, injunctive and declaratory relief and such other relief as this court deems equitable and just.

July 11, 2014

Billy Horton
(718) 568-8847

Complaint
Jury Trial Demanded

Plaintiffs claims for declaratory and injunctive relief are authorized by USC and Rule 57 of the Federal Rules of Civil Procedure.

Award attorneys fee pursuant to 42 U.S.C. § 1988
Award cost of suit pursuant to 42 USC 1920 and 1988
Award such other and further relief as this Court may deem appropriate and equitable, including injunctive and declaratory relief as may be required in the interest of justice.

July 11, 2014

Billy Borth
(718) 568-8847

Complaint
JURY TRIAL Demanded

Plaintiff was lawfully in House on August 10, 2011. At approximately 8³⁰ pm (Eight thirty) members of The New York City Police Department did unlawfully break into the house with assault weapons drawn in full military style gear to include helmets, vests and long assault rifles at 105-31 191 Street Jamaica Queens New York 11412. The New York City Police Department Officers unlawfully arrested Plaintiff inside of the house without cause or justification.

Plaintiff is a American citizen who is protected under The United States Constitution.

The New York City Police Department action violated Plaintiff's Civil Rights. 4th and 14th Amendment

The New York City Police who broke into the house and illegally handcuffed and arrested Plaintiff never identified themselves. They did not say why Plaintiff was being illegally removed by force and they used excessive force including assault rifles weapons pointed directly at Plaintiff.

Plaintiff's civil rights were violated in the amount of

July 11, 2014

Billy Nathan
(718) 568-8841

Complaint
Jury trial Demanded

The officers that did not touch Plaintiff failed to intervene and protect him from the above mentioned violations

The New York City Police Department has a policy where they can assign an officer to be the arresting officer. The officer does not have to be the officer that handcuffed the person being arrested. As a result of this policy Plaintiff's Constitutional Rights under the Sixth (6th) Amendment were violated.

July 10, 2014

Billie Miller
(718) 588-8847

Complaint
JURY TRIAL DEMANDED

The New York City Police Department has a policy where lower ranking officers (employees) have to obey the commands or orders given to them by their Superior ranking Officers (supervisors) This Policy is a direct result in the United States Constitution (4th) fourth amendment being violated which protects citizens in their home and property. The officer who illegally hand cuffed plaintiff inside of the house was not the officer whos name was on the arrest record.

July 16, 2014

Billy Hester
(718) 568-8847

Complaint
JURY TRIAL DEMANDED

Plaintiffs property and belongings inside of the house were destroyed and several items were missing after he was illegally removed by force. As a result of The Police Officers actions his United States Constitutional Rights under the 4th (fourth) 8th (eighth) and 14th (fourteenth) Amendments were violated. Plaintiff experienced physical, personal and emotional injuries, pain and suffering, fear, an invasion of privacy, psychological pain, emotional distress, mental anguish, embarrassment and humiliation. Plaintiff also lost employment opportunities because he was falsely arrested for violating the laws of The State of New York.

July 11, 2014

Bobby Norton
(718) 568-8847

Complaint

Jury Trial Demanded

Plaintiff was required to appear in court for (17) seventeen court appearances. On several court appearances ADA Harry Nussdorf answered for the people. ADA Harry Nussdorf on September 16, 2011 and October 17, 2011 asked why is the case being handled by him. On January 30, 2012 ADA Harry Nussdorf stated The People were not ready. Under New York State Criminal Procedure law CPC 30.30 A misdemeanor sets legal time limitations (90) days. January 30, 2012 the case was over the (90) ninety day time limit. The case was 150 (One hundred & fifty) days Five months after the arrest date. Plaintiff's case was continued and prolonged by ADA Harry Nussdorf, ADA Deborah Wessel, JUDGE Suzanne McVender, Judge Stephanie Zaro, and Judge Elisa Koenderman. Plaintiff was to appear in one court part when the assigned ADA (assistant district attorney) was assigned to a different part the same date and time. Plaintiff was assigned to appear in one court part when the Judge was assigned to a different part.

At all ~~times~~ times relevant here in the individual defendants acted intentionally, willfully, maliciously, negligently and with reckless disregard for and deliberate indifference to plaintiff's Civil Rights guaranteed by The United States Constitution (6th) Sixth Amendment were intentionally violated.

July 16, 2014

Billy Mata
(718) 568-8847

Complaint

JURY TRIAL DEMANDED

Plaintiff was maliciously prosecuted as a result of this illegal arrest. The judicial system has been misused. Under New York State Rule Procedure Law CPL 30.30, which sets legal time limitations for an A1 misdemeanor CPL 30.30 is 90 (ninety) days. Plaintiff's 6th (Sixth) Amendment was violated from the United States Constitution. Plaintiff's Civil Rights were violated.

Plaintiff was required to appear in court for seventeen (17) court appearances. Plaintiff was illegally removed and arrested on August 10, 2011. Plaintiff remained in jail on August 10, 2011. Plaintiff remained in jail on August 11, 2011. Plaintiff remained in jail most of August 12, 2011. Plaintiff was R.O.R. on August 12, 2011.

The lengthy court proceedings and the Dismissal of the case after (1) seventeen court appearances to include August 2011 - December 2011, January 2012 - December 2012 and (2) three appearances in January 2013 and the Dismissal of the case by the Judge is evidence that it was made false, maliciously and with the intent to harass, Scandalize and injure Plaintiff.

July 10, 2014

Billy Gates
(718) 568-8847

Complaint

Jury Trial Requested

List of Court APPEARANCES

2011

1. August 12, 2011
2. September 16, 2011
3. October 12, 2011
4. October 31, 2011
5. December 14, 2011

2012

6. JANUARY 30, 2012
7. FEBRUARY 29, 2012
8. APRIL 12, 2012
9. MAY 17, 2012
10. JUNE 22, 2012
11. JULY 31, 2012
12. SEPTEMBER 07, 2012
13. OCTOBER 19, 2012
14. December 11, 2012

2013

15. JANUARY 08, 2013
16. JANUARY 09, 2013
17. JANUARY 12, 2013

July 10, 2014

Billy Hott
(718)568-8847

Complaint
JURY TRIAL DEMANDED

Plaintiff Seeks relief from all defendants
named below for violating his Civil Rights of
The United States Constitution
New York State Constitution

Plaintiff Seeks relief
Money 5,000,000⁰⁰ (Five million U.S. Dollars) TOTAL

Plaintiff Seeks relief from

P.D. Reinaldo ALVAREZ

NYPD

P.D. JOHN DOES #1-8

NYPD

ADA HARRY Nussdorf

NYC criminal court Queens county

ADA Deborah Wassel

NYC criminal court Queens county

Judge SUZANNE Melendez

NYC criminal court Queens county

Judge Stephanie Zaro

NYC criminal court Queens county

Judge Elise Koenekman

NYC criminal court Queens County

The New York City Police Dept.

The City of New York

July 10, 2014

Billy Harken
(718) 568-8847

Complaint
Jury Trial Demands

Plaintiff seeks relief from all defendants named below for violating his Civil Rights of The United States Constitution New York State Constitution

Plaintiff seeks monetary relief
Money 5,000,000 $\frac{00}{100}$ (five million U.S. Dollars) TOTAL

Plaintiff seeks relief from

The City of New York	5,000,000 $\frac{00}{100}$ (five million)
The New York City Police Dept.	5,000,000 $\frac{00}{100}$ (five million)
P.D. Reinaldo Alvarez	5,000,000 $\frac{00}{100}$ (five million)
P.D. s JOHN DOES # 1-8	5,000,000 $\frac{00}{100}$ (five million)
ADA Harry Nussdorf	5,000,000 $\frac{00}{100}$ (five million)
ADA Deborah Wassel	5,000,000 $\frac{00}{100}$ (five million)
Judge Stephanie Zaro	5,000,000 $\frac{00}{100}$ (five million)
Judge Suzanne Melendez	5,000,000 $\frac{00}{100}$ (five million)
Judge Elise Koenderman	5,000,000 $\frac{00}{100}$ (five million)
The NEW York City Criminal Court Count of QUEENS	5,000,000 $\frac{00}{100}$ (five million) FIVE MILLION DOLLARS TOTAL

July 11, 2014

Billy Yoshi
(718) 568-8847